

THE NEWS OF NORFOLK ON PAGES TWO, THREE, AND FIVE.

COURT DECISIONS.

Notes of Cases Recently Decided,
Which are of Interest to
Our People.

DIGESTED BY W. B. MARTIN,
(Exclusively for Virginian-Pilot.)

WHITEHEAD'S ADMR. V. WHITEHEAD'S ADMR.
Supreme Court of Appeals of Virginia,
February 2, 1899.

UPON A TRIAL AS TO THE VALIDITY OF A WILL, WHERE IT MUST EITHER STAND OR FALL AS A WHOLE, THE ADMISSIONS OF ONE LEGATEE TENDING TO IMPEACH IT MUST AFFECT THE OTHER LEGATEES, AND ARE NOT ADMISSIBLE IN EVIDENCE.

This was a suit to determine whether a certain paper was the will of Mrs. Mary Whitehead. It was alleged that the testatrix was mentally incompetent, and that the will was obtained by improper influences. There were exceptions to the admission of certain evidence on the ground that some of it was not material facts and other was admissions and not proper evidence.

The court says:
The general rule is that collateral facts are inadmissible in evidence because they do not afford any reasonable presumption or inference as to the principal fact or matter in dispute and tend to draw away the minds of the jury from the point in issue, excite prejudice, and mislead the jury. There is nothing in this case to take it out of the general rule, and the evidence ought to have been excluded. The question presented by the second bill of exceptions is whether upon an issue of devisavit vel non the legatee or devisee who is attacking the validity of the will can introduce in evidence the admissions of another legatee or devisee tending to impeach it where there are other legatees or devisees interested in sustaining the will. This question has never been passed upon by this court in any reported case.

The fact that two or more persons have a common interest in the same subject matter does not entitle them to make admissions respecting it which each can introduce, and where each claims independently of the other, though under a common instrument, neither the words nor the acts of one can bind the other. In a case like this, where the validity of the whole will is attacked, and in which it must either stand or fall as a whole, the admissions of Mrs. Vager tending to show a want of mental capacity in the testatrix or the use of improper influence in the execution of the will must necessarily affect her daughters (who are attempting to sustain the will) as well as herself. The only way, therefore, by which they can be protected from the influence of such admissions for which they are in no wise responsible, is by excluding them from the jury, and by allowing the party attacking the will to introduce such evidence only as is competent against all the parties seeking to establish its validity.

This seems to us to be the correct rule in principle, and whilst the decisions of the courts of the States which have passed upon the question are conflicting, the weight of authority and the better reason is, in our opinion, in favor of the rule as laid down above. Reversed.

SHARPE V. LOANE.

Supreme Court of North Carolina,
February 21, 1899.

AN INJUNCTION DOES NOT LIE TO RESTRAIN A SOLVENT PRISONER FROM CUTTING TIMBER ON LANDS, SINCE THAT IS NOT AN IRREPARABLE INJURY.

BEDDARD V. HARRINGTON.

Supreme Court of North Carolina,
February 28, 1899.

LANDS DEVISED TO TESTATOR'S WIFE DURING LIFE OR WIDOWHOOD, AND AT HER DEATH TO ANOTHER, PASS, IN CASE OF HER REMARRIAGE, TO TESTATOR'S HEIRS UNTIL HIS WIFE DIES, AND THEN TO THE OTHER.

This was an action of ejectment. There was a judgment for plaintiffs and defendants appealed. The facts are shown by the opinion of the Court.

The court says:

The devise to the wife "during her natural life or widowhood," by the settled rules of construction, was determined either upon her death or re-marriage.

A HAPPY BOY.

The Good Fortune Which Befell John Taylor—How It was Obtained.

John Taylor, the 12-year-old son of Mrs. S. Taylor, 119 Gibbs avenue, Norfolk, Va., is today one of the happiest of boys. He has good reason for his joy, for as one sees him dashing through the streets on his bicycle, a bright, winsome boy, it is hard to believe that a few months ago he was a hopeless invalid, threatened with immediate death.

The successful method which was used marks a step in medical science. Mrs. Taylor, in speaking of it, says:
"We formerly lived in Washington, D. C., and three specialists said 'he had no constitution and could not live through October, and any overexertion or intense hot weather meant sudden death. He needed constant care and proper nourishment.'"

"Everything possible was done, but he did not get any better. About eight months ago I was advised to give Brown's Iron Bitters to him. He was benefited at once. After using three bottles he was so much improved that he went to work, and is now well. We traveled for the benefit of his health, but it was useless. It was awful to hear him talk, as his voice sounded so hollow."



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PUBLICATIONS RECEIVED.

"SELF CULTURE" for April supplies magazine readers with interesting articles on timely and important topics from the pens of notable writers. The contents of the new issue include, among other instructive reading, thoughtful papers in subjects of national import. Of these the following will be found well worth perusal: "The Newer Citizenship," by Henry Davies, Ph. D.; "Municipal Misrule; Its Causes and Remedies," by Prof. F. Spencer Baldwin, and "Constitutional Government Imperilled," by Edwin Burritt Smith; also a second installment of the paper on "The German Army and Its Organization," and an interesting article, entitled "On Board a Man-of-War." For sale by all news dealers. Price, \$1.00 per annum. Published by the Self Culture Magazine, Akron, O.

"SCRIBNER'S MAGAZINE" for April has a beautiful cover, and the good impression one gets from its exterior appearance is not in the least diminished by the contents of its interior. The first number in the table of contents is "A Lover of Music," a pathetic story, telling the life of a quaint German character. The first installment of what promises to be a very interesting story, "The Shirt of Stars," by O. T. Quiller-Couch, is also published. Another interesting paper by Colonel Roosevelt, telling of the Rough Riders at Santiago, is well illustrated by Frederick Remondy.

"A Winter Journey to the Rockies" is also a very taking article, relating, as it does, the realities of a journey across the frozen regions of Alaska and over the renowned Chilkoot Pass. It is accompanied by many photographic illustrations, which serve well to give the readers an idea of the place. Published by Chas. Scribner's Sons, New York. Price, 25 cents.

Head's Sarsaparilla never disappoints. It may be taken for impure and impoverished blood with perfect confidence that it will cure.

Norfolk New Light Company.
Gentlemen:—We are now lighting our store on New Market Square with the "New Light System," and find it very satisfactory, giving a steady, brilliant light, which is safe, easily managed, and economical, a better light than gas or electricity, at about one-fourth the cost.

DUNCAN BROS.,
Norfolk, Va., March 30. mh31-3t

Gone to Stand Examination.
Dr. Van Telburg Hoffman, assistant United States Marine Hospital Surgeon, has gone to Wilmington, N. C., to stand examination for the position of District Surgeon with the Atlantic Coast Line. Dr. Hoffman has been connected with the Marine Hospital Service here, and was accommodating and agreeable.

Baby Carriages.
Just received, a fine assortment of Heywoods; prices from \$8 to \$40, cash or credit. Williamson & Sykes, 563 and 565 Church street, near Queen. fe23-1f.

Oxford Mixtures, in herring bone and plain effects. Some of the late arrivals. Rudolph & Wallace, 333 Main street.

Another Asheville Banker Convicted
(By Telegraph to Virginian-Pilot.)
Raleigh, N. C., March 30.—A special to the News and Observer from Asheville, N. C., says:
The jury in the Dickerson case, after being out less than an hour to-day, returned a verdict of guilty. Judge Purnell sentenced the prisoner to ten years in the penitentiary.
Dickerson took an appeal, giving bond for \$30,000.

A dispatch from Fall River, R. I., is to the effect that a syndicate of capitalists in that city has determined to erect a new cotton mill at Warren, near Fall River, which will cost \$500,000.

THEY RIDICULE IT.

Many People Ridicule the Idea of an Absolute Cure for Dyspepsia and Stomach Troubles.

Ridicule, However, is not Argument, and Facts are Stubborn Things.

Stomach troubles are so common and in most cases, so obstinate to cure that people are apt to look with suspicion on any remedy claiming to be a radical, permanent cure for dyspepsia and indigestion. Many such pride themselves on their astuteness in never being humbugged, especially in medicines.

This fear of being humbugged can be carried too far, so far, in fact, that many people suffer for years with weak digestion, rather than risk a little time and money in faithfully testing the claims made of a preparation so reliable and universally used as Stuart's Dyspepsia Tablets.

Stuart's Dyspepsia Tablets are vastly different in one important respect from ordinary proprietary medicines for the reason that they are not a secret patent medicine, no secret is made of their ingredients, but analysts show them to contain the natural digestive ferment, pure aseptic pepsin, the digestive acids, Golden Seal, bismuth, hydrastis and nux. They are not cathartic, neither do they act powerfully on any organ, but they cure indigestion on the common sense plan of digesting the food eaten thoroughly before it has time to ferment, sour and cause the mischief. This is the only secret of their success.

Cathartic pills never have and never can cure indigestion and stomach troubles because they act entirely on the bowels, whereas the whole trouble is really in the stomach.

Stuart's Dyspepsia Tablets taken after meals digest the food. That is all there is to it. Food not digested or half digested is poison as it creates gas, acidity, headaches, palpitation of the heart, loss of flesh and appetite and many other troubles which are often called by some other name.

They are sold by druggists everywhere at 50 cents per package. Address F. A. Stuart Co., Marshall, Mich., for little book on stomach diseases, sent free. mh29,apl2

BRAMBLETON WARD

Meeting of the Local Board of Improvement.

Reports From the Street Committee and Sanitary Officer—Proposition—Holt Street Bridge—Driving Cattle Through Streets.

The Local Board of Improvement of Brambleton Ward met in regular session last night with President Jones in the chair and all the members present.

The Street Committee submitted its report on the temporary improvements to the streets. It suggested that it was advisable to place a few shells on the avenues as possible until after the sewer pipes have been laid. The material for curbing and guttering the east end of Lovitt avenue has arrived and the work will be finished without delay. Progress was also reported on East Brown and Water avenue, between Willoughby avenue.

The report of the sanitary officer called attention to certain needed sundry improvements.

The School Committee was authorized to abate certain nuisances on the premises of schools Nos. 1 and 2.

A complaint from Mr. J. A. Winslow of the unsanitary condition of the east side of South Park avenue was referred to the Street Committee.

The ordinances passed by the City Councils in regard to improvements on East Brambleton avenue and Queen street, and prohibiting fast driving and the movement of cattle over Holt and Racefield bridges, were read and placed on file.

A communication from Mr. H. S. Greene offering to replace dead trees with new ones in front of the two school houses, at 75 cents each, was referred to the School Committee.

A petition from Mr. C. R. Mackem, requesting the board to close that portion of Lovitt avenue, as shown on the old map of Lovitt avenue extended, to Lake Mahone, was placed in the hands of the Street Committee for report at the next meeting.

A communication from the Virginia Electric Light Co. in regard to the light on Holt street bridge, was turned over to the Committee on Lights, to be adjusted.

Several communications from Gill & Co., the sewer contractors, stating that they would soon begin the work, were read and filed.

A committee of two, consisting of Messrs. Gale and Sterling, was appointed to confer with the city authorities as to the proper regulation and maintenance of Holt street bridge, and to confer with the Councils, if necessary, without further reference to the board.

The following resolution was offered by Mr. Reid:
That the City Councils create a committee to confer with a like committee from this board for the purpose of making the repairs necessary to place the Holt street bridge in a safe condition for the passage of all classes of vehicles. Adopted.

Messrs. Bunting, Reid and Spann were appointed to investigate and report on the most feasible method of paving Park and Brambleton avenues. A resolution was adopted requesting Superintendent Smith, of the water works, to furnish the board an estimate of the cost of placing such water pipes and fire plugs as may be necessary for the operation of sewerage in the ward.

The secretary was instructed to address a communication to each member of the Common Council, requesting him to attend the next meeting of that body and vote upon matters of expediency in the interest of ward improvements.

The secretary was instructed to write to the keepers of stock yards and request them not to drive their cattle through streets on which schoolhouses are, as the practice endangers the lives of the children, and that they send a sufficient number of men with them to keep them under control.
All properly approved bills were allowed.

BRIEF MENTION.
The "Basket Party" given at the home of Miss Lucille Sanderlin, on North Malthy avenue, last night was a complete success and the many pleasing features presented made the evening one of unalloyed pleasure.

The concert and literary entertainment at King Hall last night was an exceptionally fine affair and the large audience manifested its appreciation by unstinted applause.

The Monticello Social Club will be entertained in handsome style at the residence of Miss Lulu Wilkins, on Ferguson avenue, next Monday night.

XANTHINE TABLETS

Marvelous in Its Effects.

NOT A DYE, But Restores Life to the Hair, and Removes Dandruff.

Rev. A. A. James, pastor of the Presbyterian Church at Jonesville, S. C., says:
"It is far superior to anything of the kind I have ever seen."

The highest testimonials of its merits are given.

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XANTHINE TABLETS

COTTON MILL TRUST.

ENGLISH SYNDICATE PLANNING TO CONTROL OUTPUT.

(By Telegraph to Virginian-Pilot.)

Taunton, Mass., March 30.—A special to the Evening News from New Bedford says that efforts are being made by representatives of an English syndicate to combine all of the cotton yarn mills in the United States. It is said that as a result of the financial troubles of the New Bedford mills and other yarn mills during the past few years, efforts were made to interest English capital with a view to forming a syndicate to control the entire cotton yarn industry. The capitalists who were approached declared that they were willing to take up the matter if control of all of the mills could be secured, otherwise they would not care to undertake the formation of a syndicate.

It is authoritatively stated that the treasurers of some of the New Bedford and Fall River mills have been in consultation with the leading stockholders as to the advisability of going into the proposed syndicate, and on that basis. If the deal is consummated it is estimated that a capital of over \$100,000,000 will be necessary to form the combination.

A GOOD THING.
It is not often that the opportunity of consulting a highly skilled and widely experienced physician free is offered to the public. When such an offer is made it should be taken advantage of.

Dr. Greene, 35 West 14th St., New York City, the noted physician who above all others is successful in curing diseases, can be consulted by those needing medical aid by letter, free. If you are weak and suffering, if your vigor is lost, your vitality gone, write to Dr. Greene and get his advice. Your letter will be your first step towards a cure. Dr. Greene can cure you as he has cured thousands of others. Do not put off, but write to Dr. Greene at once.

Lawrence & Welton

Coat Suits, strictly tailor fashioning, from the choicest Cloths, Venetian Serges and Scotch Mixtures, a Navy or Black Serge, Silk-lined Skirt and Jacket, is good value at

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Crepons. An assortment of patterns and designs wondrous to behold. The popular demand is for the

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Silks. One of the busiest counters in the store. Nearly always crowded with eager buyers.

The ones mostly called for—the ones mostly sold—are the

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Don't forget the new ones. Those with the draw string through the middle, through both sides. The newest trimming material.

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Dr. Charcot's Tonic Tablets, the great Parisian remedy, is guaranteed cure for the Drink Habit, also nervousness and melancholy caused by over indulgence. IT DESTROYS THE APPETITE FOR ALCOHOLIC and all intoxicating Beverages, and leaves man as he should be. It can be administered without the knowledge of the patient where necessary. Send for pamphlet.

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One lot of Silks, black ground, with woven colors of dots and figures, 85c. quality, 59c.

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It's such a thing as we recommend at \$1.00.

Not as good as our \$1.50 goods—wouldn't it be foolish to claim that?—but an unsurpassable glove for the price.

Good Opinion

entertained by the buying public and expressed in our favor, can but gratify.

Purchasers frequently state that Brown's Wash Goods are the most select hereabouts. Personal effort to accomplish that end has been steadily strong. They say—successful. Suppose you view the Dimities, Batistes, Organdies, Percales, Piques, Cheviots, Gingham, Swisses, and the other things which contribute to bountiful comprehensiveness.

Corsets.

Standard goods at your disposal. A showing in the little window points to a probable fit—in both form and purse.

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